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NOTICE OF ALLOWANCE AND FEE(S) DUE

5514 7590 07/28/2008
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER	
JACOBS, LASHONDA T	
ART UNIT	PAPER NUMBER

2157
DATE MAILED: 07/28/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,694	02/01/2001	Yuichi Higuchi	03500.015094	3090

TITLE OF INVENTION: SERVER, DEVICE, CLIENT, INFORMATION PROCESSING METHOD OF SERVER, INFORMATION PROCESSING METHOD OF DEVICE, INFORMATION PROCESSING METHOD OF CLIENT, INFORMATION PROCESSING PROGRAM, AND MEMORY MEDIUM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/28/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

5514 7590 07/28/2008

**FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/28/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
JACOBS, LASHONDA T	2157	709-203000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 375 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 375 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

09/774,694

Examiner

LASHONDA T. JACOBS

Applicant(s)

HIGUCHI, YUICHI

Art Unit

2157

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE Amendment filed on July 16, 2008.
2. ☒ The allowed claim(s) is/are 1-8,21-28,41-48 and 80-82.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/LaShonda T Jacobs/
Primary Examiner, Art Unit 2157

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonard P Diana (Reg. No. 29,296) on July 22, 2008.

IN THE CLAIMS

Please amend claims **1, 2, 3, 4, 21** and **41** as follows:

1. (currently amended): A server ~~capable of~~ communicating with a device, comprising:
 - a first storage unit ~~adapted to store~~ storing information representing an ability of the device;
 - a second storage unit ~~adapted to store~~ storing information representing an ability of a device driver for the device;
 - a retrieval condition reception unit ~~adapted to receive~~ receiving from a user a retrieval condition, including at least one ability, for selecting the device;
 - a comparing unit ~~adapted to compare~~ comparing the retrieval condition received by said retrieval condition reception unit with combined information, the combined information

being a combination of the information stored by said first storage unit and the information stored by said second storage unit; and

an output unit ~~adapted to output~~ outputting a result of comparing by said comparing unit,

wherein said output unit outputs information for identifying, among the at least one ability included in the retrieval condition, an ability which does not conform to any ability of the device stored in the first storage unit but conforms to at least one ability of the device driver stored in the second storage unit.

2. (currently amended): A server according to claim 1, further comprising:

a first reception unit ~~adapted to receive~~ receiving the information representing the ability of the device; and

a second reception unit ~~adapted to receive~~ receiving the information representing the ability of the device driver for the device.

3. (currently amended): A server according to claim 1, further comprising a

generation unit ~~adapted to generate~~ generating the combined information by combining the information stored by said first storage unit and the information stored by said second storage unit together.

4. (currently amended): A server according to claim 3, further comprising a third storage unit ~~adapted to store~~ storing the combined information generated by said generation unit.

5. (previously presented): A server according to claim 4, wherein said comparing unit compares the combined information stored by said third storage unit with the retrieval condition.

6. (previously presented): A server according to claim 1, wherein said output unit outputs an adaptivity based on the number of adapted abilities among the at least one ability included in the retrieval condition.

7. (previously presented): A server according to claim 1, wherein the information representing the ability of the device is information concerning any one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, a paper size, and a status of the device.

8. (previously presented): A server according to claim 1, wherein the comparing by said comparing unit is performed with respect to plural devices.

9. - 20. (canceled).

21. (currently amended): An information processing method which is executed by a server ~~capable of~~ communicating with a device, comprising the steps of:

- storing first information representing an ability of the device;
- storing second information representing ability of a device driver for the device;
- receiving from a user a retrieval condition, including at least one ability for selecting the device;
- comparing the retrieval condition received in said retrieving step with combined information, the combined information being a combination of the first information and the second information; and
- outputting a result of comparing in said comparing step,

wherein outputting step includes outputting information for identifying, among the at least one ability included in the retrieval condition, an ability which does not conform to any ability of the device stored in the first storage unit but conforms to at least one ability of the device driver stored in the second storage unit.

22. (previously presented): A method according to claim 21, further comprising the steps of:

- receiving the first information representing the ability of the device; and
- receiving the second information representing the ability of the device driver for the device.

23. (previously presented): A method according to claim 21, further comprising the step of generating the combined information by combining the first and the second information together.

24. (previously presented): A method according to claim 23, further comprising the step of storing the combined information generated in said generating step in a storage unit.

25. (previously presented): A method according to claim 24, wherein said comparing step includes comparing the combined information with the retrieval condition.

26. (previously presented): A method according to claim 21, wherein said outputting step includes outputting an adaptivity based on the number of adapted abilities among the at least one ability included in the retrieval condition.

27. (previously presented): A method according to claim 21, wherein the first information representing the ability of the device is information concerning any one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, a paper size, and a status of the device.

28. (previously presented): A method according to claim 21, wherein the comparing in said comparing step is performed with respect to plural devices.

29. - 40. (canceled).

41. (currently amended): A computer-readable medium storing an information processing program, which is executed by a server ~~capable of~~ communicating with a device, wherein said program causes a computer to execute:

a first storing step of storing first information representing an ability of the device;

a second storing step of storing second information representing an ability of a device driver for the device;

a receiving step of receiving from a user a retrieval condition including at least one ability for selecting the device;

a comparing step of comparing the retrieval condition received in said retrieving step with combined information, the combined information being a combination of the first information and the second information; and

outputting a result of comparing in said comparing step,

wherein outputting step includes outputting information for identifying, among the at least one ability included in the retrieval condition, an ability which does not conform to any ability of the device stored in the first storage unit but conforms to at least one ability of the device driver stored in the second storage unit.

42. (previously presented): A computer-readable medium according to claim 41, wherein said program causes the computer to execute steps of:

receiving the first information representing the ability of the device; and

receiving the second information representing the ability of the device driver for the device.

43. (previously presented): A computer-readable medium according to claim 41, wherein said program causes the computer to execute a step of generating the combined information by combining the first information and the second information together.

44. (currently amended): A computer-readable medium according to claim 43, ~~further comprising wherein said program causes the computer to execute a step of~~ storing the combined information generated in said generating step in a storage unit.

45. (previously presented): A computer-readable medium according to claim 44, wherein said comparing step includes comparing the combined information with the retrieval condition.

46. (previously presented): A computer-readable medium according to claim 41, wherein said outputting step includes outputting an adaptivity based on the number of adapted abilities among the at least one ability included in the retrieval condition.

47. (previously presented): A computer-readable medium according to claim 41, wherein the first information representing the ability of the device is information concerning any one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, a paper size, and a status of the device.

48. (previously presented): A computer-readable medium according to claim 41, wherein the comparing in said comparing step is performed with respect to plural devices.

49. -79. (canceled).

80. (previously presented): A server according to claim 1, wherein the at least one ability included in the search condition is information concerning any one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, and paper size.

81. (previously presented): A method according to claim 21, wherein the at least one ability included in the search condition is information concerning any one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, and paper size.

82. (previously presented): A computer-readable medium according to claim 41, wherein the at least one ability included in the search condition is information concerning any

one of duplex print, N-up print, jobcopy, pagecopy, OHP insertion print, resolution, the number of print pages, and paper size.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LASHONDA T. JACOBS whose telephone number is (571)272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LaShonda T Jacobs/
Primary Examiner, Art Unit 2157

July 23, 2008